

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:04-CR-369-1H

No. 5:17-CV-311-H

CALVIN BRYANT,)	
)	
Petitioner,)	
)	
v.)	
)	ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

This matter is before the court on petitioner's Motion to Withdraw his Motion to Vacate, [DE #149]. Due to the unique procedural posture of this case and out of an abundance of caution, the court construes petitioner's filing as a motion to voluntarily dismiss his claims without prejudice pursuant to Fed. R. Civ. P. 41(a)(2). Therefore, the court GRANTS petitioner's motion, [DE #149], and hereby DISMISSES petitioner's motion to vacate, [DE #122]. The clerk is directed to close this case.

This 16th day of March 2020.



MALCOLM J. HOWARD
Senior United States District Judge